



CITY COUNCIL/ REDEVELOPMENT AGENCY AGENDA

City of Westminster
Regular Meeting
July 26, 2006

7:00 p.m. – Council Chambers

8200 Westminster Boulevard
Westminster, California 92683

MARGIE L. RICE
MAYOR

FRANK G. FRY
Mayor Pro Tem

KERMIT MARSH
Council Member

ANDY QUACH
Council Member

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I)

GENERAL INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the first and third Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

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PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

AGENDA

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7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR
PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, FRY, MARSH, QUACH

PRESENT:

ABSENT:

SALUTE TO FLAG: Council Member Quach

INVOCATION:

SPECIAL PRESENTATIONS:

A. Recognition of Mayor's Ball Sponsors

AGENDA

July 26, 2006

1. CONSENT CALENDAR

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Regular Meetings of the City Council/Redevelopment Agency of June 14, 2006 and June 28, 2006** (Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 **(City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.3 **Award of bid for 800MHz Radio Maintenance with the Orange County Sheriffs Department Communication Division for FY 2006-2007** (Mitch Waller)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order with the Orange County Sheriffs Department Communication Division in an amount not to exceed \$30,000, and reject the bid submitted by ComSerCo Communications.

RECOMMENDATION: Approve

- 1.4 **Option Year Renewal for Vehicle Tire Purchase for FY 2006-07** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order for vehicle tire purchase in the amount of \$25,000 to Parkhouse Tire, Inc.

- 1.5 **Purchase of One Ton Building Maintenance Truck with Service Body #2102** (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Fairview Ford Sales, Inc. in the amount of \$32,675.32 to purchase a one-ton truck with service body, and reject all other bids.

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1. CONSENT CALENDAR (Continued)

1.6 Award of Contract for Uniform Rental and Related Supplies for FY 2006-07 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order in the amount of \$16,000 for a renewable uniform rental and related supplies contract to So Cal Uniform Rental, and reject all other bids.

1.7 New Classification Specification – City Cable Television Production Supervisor (Pat Corcoran)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the new class specification of City Cable Television Production Supervisor.

ORDINANCES (SECOND READING)/RESOLUTIONS

1.8 Resolution No. 4027 - A Resolution of the Mayor and City Council of the City of Westminster Determining Service Areas for Community Development Block Grant Funded Projects for FY 2006-2007 Consolidated Annual Action Plan (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4027 and waive further reading.

1.9 Resolution No. 4028 - A Resolution of the Mayor and City Council of the City of Westminster Providing for a Compensation Plan for Employees Represented by the Westminster Municipal Employees' Union Local 1734 (Pat Corcoran)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4028 and waive further reading.

1.10 Resolution No. 4029 - A Resolution of the Mayor and City Council of the City of Westminster Rescinding Resolution No. 3983 and Compensation Plan for Part-Time Employees of the City of Westminster (Pat Corcoran)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4029 and waive further reading.

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1. CONSENT CALENDAR (Continued)

ADMINISTRATIVE ITEMS

- 1.11 Special Event Permit application from Harley Davidson of Westminster to hold an Open House on Saturday, September 9, 2006 between the hours of 7:30 a.m. and 4:00 p.m. (includes set up and clean up times). The event will take place at Harley Davidson located at 13031 Goldenwest Street; the anticipated attendance is 300-500 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Special Event Permit application subject to the conditions attached to the staff report.

- 1.12 Agreement between the City of Westminster and the Ocean View School District for staffing of Crossing Guard at one (1) location. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the agreement with the Ocean View School District for fiscal year 2006-2007; and
- 2) Accept \$2,926.00 from the Ocean View School District as their portion of the agreement; and
- 3) Authorize the Interim City Manager to execute the agreement on behalf of the City.

WARRANT REGISTER

- 1.13 (City Council/Redevelopment Agency) Warrant Register dated July 6 through 25, 2006 (Paul Espinoza)**

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.14 Minutes of the Planning Commission meeting held June 21, 2006 (Don Anderson)**

RECOMMENDATION: Receive and file.

- 1.15 Community Development Monthly Activity Report – June 2006 (Don Anderson)**

RECOMMENDATION: Receive and file.

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1. CONSENT CALENDAR (Continued)

1.16 Treasurer's Report – June 2006 (Paul Espinoza)

RECOMMENDATION: Receive and file.

1.17 Minutes of the Traffic Commission meetings held June 6, 2006 and July 4, 2006. (Marwan Youssef)

RECOMMENDATION: Receive and file

END OF CONSENT CALENDAR

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2. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW – None

4. PUBLIC HEARINGS

ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS: After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

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4. PUBLIC HEARINGS (Continued)

4.1 Weed Abatement Cost Report – Fall 2005 and Spring 2006 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Receive and confirm the weed abatement cost report;
- 2) Adopt Resolution No. 4024 entitled, "A Resolution of the Mayor and City Council of the City of Westminster confirming report of cost of weed abatement, Fall 2005 and Spring 2006 on lots within the City of Westminster", and waive further reading; and
- 3) Authorize the City Clerk to submit the report to the County Assessor and County Tax Collector

4.2 Resolution for the Revision of Fees and Charges for Special Services Provided by the City of Westminster (Paul Espinoza)

Time set for the public hearing to consider the revision of fees and charges for special services provided by the City of Westminster in compliance with Chapter 3.50 of the Westminster Municipal Code.

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4012 entitled, "A Resolution of the Mayor and City Council of the City of Westminster establishing fees and charges for special services provided by the City of Westminster for the 2006-07 fiscal year" and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports

5.3 Review of the Planning Commission's Approval of Case No. 2006-25 (Design Review); Location: 5455 Garden Grove Boulevard; Applicant: Jason D. Hadley, Representative for Metro PCS, the Wireless Operator, and Authorized Agent for Avalon Center at Garden Grove, Inc., Property Owner of Record. (Mayor Rice)

RECOMMENDATION: The Planning Commission recommends that the Mayor and City Council adopt Resolution No. 4023 entitled, "A Resolution of the Mayor and City Council of the City of Westminster approving Case No. 2006-25 pertaining to a Design Review for a Wireless Communication Facility to be located at 5455 Garden Grove Boulevard", and waive further reading.

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6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 (City/Agency) Consideration of alternative dates for the Regular Council/Agency meetings of Wednesday, August 9, 2006 and August 23, 2006 (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor/Chair and City Council/Agency Board consider alternative meeting dates for the August, 2006 regularly scheduled meetings.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS

8.1 Resolution No. 4026 and Ordinance No. 2401 – A Resolution Regarding Monthly Expense Reimbursement and an Ordinance Amending Westminster Municipal Code Section 2.04.080 Establishing Compensation for the Mayor and City Council (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

1. Adopt Resolution No. 4026 entitled, "A Resolution of the Mayor and City Council of the City of Westminster rescinding Resolution No. 3937 regarding monthly expense reimbursement for the Mayor and City Council", and waive further reading; and
2. Introduce Ordinance No. 2401 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster amending Section 2.04.080 of the Westminster Municipal Code establishing compensation for the Mayor and City Council", and waive further reading.

8.2 Urgency Ordinance No. 2402 and Ordinance No. 2403 – An Urgency and Regular Ordinance of the Mayor and City Council of the City of Westminster Adopting Amendments to the Utility Users Tax Ordinance Relating to Telephone Users Tax (City Attorney)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1)\ Adopt Urgency Ordinance No. 2402 entitled, "An Urgency Ordinance of the Mayor and City Council of the City of Westminster, California Amending Section 3.14.030 of Chapter 3.14 (Utility Users Tax) of the Westminster Municipal Code, to Clarify Original Intent and Remove Obsolete References", and waive further reading; and
- 2) Introduce Ordinance No. 2403 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster, California Amending Section 3.14.030 of Chapter 3.14 (Utility Users Tax) of the Westminster Municipal Code, to Clarify Original Intent and Remove Obsolete References", and waive further reading.

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8. LEGISLATIVE ITEMS (Continued)

8.3 Ordinance No. 2404 – Relating to the Regulation of Shopping Carts (Vicki Morgan)

RECOMMENDATION: Staff recommends that the Mayor and City Council introduce Ordinance No. 2404 entitled, “An Ordinance of the Mayor and City Council of the City of Westminster adding Chapter 8.74 to Title 8 of the Westminster Municipal Code relating to the regulation of shopping carts”, and waive further reading.

8.4 Ordinance No. 2405 –Relating to Shopping Cart Containment and Retrieval by Owners (Vicki Morgan)

RECOMMENDATION: Staff recommends that the Mayor and City Council introduce Ordinance No. 2405 entitled, “An Ordinance of the Mayor and City Council of the City of Westminster adding Chapter 8.78 to Title 8 of the Westminster Municipal Code relating to shopping cart containment and retrieval by owners”, and waive further reading.

8.5 Resolution No. 4005 - Adopting an Official City Travel Reimbursement Policy for Elected and Appointed Officials (Paul Espinoza)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

1. Establish a travel reimbursement dollar limit requiring City Council approval; and
2. Adopt Resolution No. 4005 entitled, “A Resolution of the Mayor and City Council of the City of Westminster Adopting the Official City Travel Reimbursement Policy for Elected and Appointed Officials”, and waive further reading.

9. COMMISSION AND COMMITTEE ITEMS

9.1 Request for the installation of all-way stop signs at the intersection of Newland Street and Oasis Avenue, and the subsequent Traffic Commission motion to install a traffic signal at the subject location – T.C. 96-100 (Marwan Youssef)

TRAFFIC COMMISSION RECOMMENDATION: The Traffic Commission recommends that the Mayor and City Council install a traffic signal at the intersection of Newland Street and Oasis Avenue

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9. COMMISSION AND COMMITTEE ITEMS (Continued)

9.2 Resignation of Linh Nguyen from the Planning Commission effective August 1, 2006 (Council Member Quach Appointee)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Accept the resignation of Linh Nguyen from the Planning Commission, with regrets, effective August 1, 2006; and
- 2) Consider whether to make a finding, pursuant to Government Code. § 54974(b), that an emergency exists, and fill the unscheduled vacancy immediately. A person appointed to fill the vacancy shall serve only on an acting basis until the final appointment is made. *This finding would need to be met, since the 10 working day vacancy notice posting requirement, pursuant to Government Code § 54974(a), will not have been met by July 26th; and*
- 3) If a finding is made that an emergency exists, appoint a member to serve on the Planning Commission on an acting basis effective August 1, 2006, for a term to expire in November, 2006, and direct staff to agendize the final appointment at the next scheduled Council meeting.

10. COUNCIL/AGENCY ADJOURNMENT

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.


Marian Contreras, City Clerk/Agency Secretary